ı						
1 2 3 4 5 6 7 8 8	TERESA DEMCHAK (SB #123989) tdemchak@g ROBERTA L. STEELE (SB #188198) rsteele@gd JAMES KAN (SB #240749) jkan@gdblegal.com GOLDSTEIN, DEMCHAK, BALLER, BORGEN & DARDARIAN 300 Lakeside Drive, Suite 1000 Oakland, CA 94612 (510) 763-9800 (510) 835-1417 (fax) CRAIG ACKERMANN (SB # 2229832) cja@labo ACKERMANN & TILAJEF, P.C. 1180 South Beverly Drive, Suite 512 Los Angeles, CA 90035 (310) 277-0614 (310) 277-0635 (fax)	blegal.com				
9	Attorneys for Plaintiffs					
10	Defendant's Counsel Listed on the Next Page					
11						
12	UNITED STATES DISTRICT COURT					
13	NORTHERN DISTRICT OF CALIFORNIA					
14	SAN FRANCISCO DIVISION					
15						
16	CORNELIUS CLARK, CHESTER LEWIS, JOHN PONDS, AND GARRANT COSEY, on	CLASS ACTION				
17	behalf of themselves and all other persons similarly situated,	Case No. C05-02670-MMC				
18	Plaintiffs,	STIPULATION AND [PROPOSED] ORDER REGARDING EXTENSION OF CLASS				
19	vs.	CERTIFICATION DISCOVERY AND BRIEFING SCHEDULES AND STATUS				
20	ANNA'S LINENS, INC.,	CONFERENCE				
21	Defendant.	Hon. Maxine M. Chesney				
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STIPULATION AND [PROPOSED] ORDER REGARDING EXTENSION OF CLASS CERTIFICATION DISCOVERY AND BRIEFING SCHEDULES AND STATUS CONFERENCE - CASE NO. C05-02670-MMC

1 2	MICHAEL T. LUCEY (SB # 9927) mlucey@gordonrees.com MICHAEL D. BRUNO (SB # 166805) mbruno@gordonrees.com BRIAN P. MASCHLER (SB # 111824) bmaschler@gordonrees.com
3	GORDEN & REES LLP Embarcadero Center West
4	275 Battery Street, Suite 2000 San Francisco, CA 94111
5	(415) 986-5900 (415) 986-8054 (fax)
6	KENNETH E. JOHNSON (SB # 115814) kjohnson@sortm.com
7	STEPHAN, ORINGHER, RICHMAN, THEODORA & MILLER 2029 Century Park East
8	Sixth Floor Los Angeles, CA 90067-2907
9	(310) 557-2009 (310) 551-0283 (fax)
10	(310) 331-0263 (1ax)
11	Attorneys for Defendant
12	
13	
14	
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STIPULATION

Plaintiffs Cornelius Clark, Chester Lewis, John Ponds, and Garrant Cosey ("Plaintiffs") and Defendant Anna's Linens, Inc. ("Anna's Linens") by and through their counsel of record agree that the a number of imminent deadlines previously approved by this Court should be extended as set forth below for the following reasons: The Parties have reached agreement in principle on the major terms of settlement of the Plaintiffs' claims and are close to finalizing the written settlement agreement. However, the Parties' settlement is conditioned on the termination of the Equal Employment Opportunity Commission's ("EEOC") investigation of charges of discrimination filed by Plaintiffs and other persons represented by Plaintiffs' counsel pending before the EEOC's San Francisco and Los Angeles offices. The EEOC has now completed its investigation and the EEOC and Anna's Linens have reached agreement in principle to resolve those charges and are close to finalizing a written agreement.

The extension of the deadlines as requested herein would allow the Parties to focus exclusively on these tasks and also would conserve the Parties' resources that would otherwise necessarily be spent in preparing to meet deadlines related to class certification discovery and briefing that will be mooted by the finalization of the Parties' settlement and resolution of the EEOC charges. The Parties anticipate that their settlement agreement and the agreement between Anna's Linens and the EEOC will be finalized within the next 30 days. The Parties hereby stipulate and respectfully request that the Court modify, approve, and adopt the Class Certification Discovery and Briefing Schedules and Status Conference as follows:

Non-Expert Discovery Schedule

Complete non-expert interrogatories and document discovery by 07/02/07

Complete non-expert depositions (e.g., Parties, Fed.R.Civ.P. 30(b)(6) 07/02/07 deponents, witnesses and records custodians) by

Expert Discovery and Reports

Plaintiffs to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by 10/31/06

Plaintiffs' expert(s) to be made available for deposition by 4/1/08

1	Defendants to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by		y 4/8/08	
2	Defendants' expert(s) to be made available for deposition by		4/15/08	
3	Plaintiffs to serve rebuttal expert reports by		4/22/08	
4	Defendant to serve supplemental expert rep	ports by	4/29/08/	
5	Expert discovery cut-off		4/29/08	
6	Class Certification Briefing Schedule			
7	Motion for Class Certification to be filed by		5/7/08	
8	Defendants' Opposition to Class Certification to be filed by		6/4/08	
9	Plaintiffs' Reply to be filed by		6/18/08	
10	Hearing on Motion for Class Certification	(on or after)	7/2/08	
11	Status Conference		To be determined by the Court	
12	SO STIPULATED.			
13	Dated: March 6, 2008	Respectfully submi	tted,	
14		/G/ P. 1	T 0. 1	
15	/S/ Roberta L. Steele TERESA DEMCHAK (SB #123989)			
16	tdemchak@gdblegal.com ROBERTA L. STEELE (SB #188198)			
17		om #240749)		
18			n MCHAK, BALLER, BORGEN &	
19	DARDARIAN 300 Lakeside Drive, Suite 1000			
20	Oakland, CA 94612 (510) 763-9800			
21	(510) 703-3600 (510) 835-1417 (fax)			
22	CRAIG ACKERMANN (SB # 2229832) cja@laborgators.com			
23	ACKERMANN & TILAJEF, P.C. 1180 South Beverly Drive, Suite 512			
24		Los Angeles, CA (310) 277-0614		
25		(310) 277-0614 (310) 277-0635 (fa	x)	
26		ATTORNEYS FO	R PLAINTIFFS	
27				
28				
20				

1	Dated: March 6, 2008	/S/ Brian P. Maschler
2		MICHAEL T. LUCEY (SB # 9927) mlucey@gordonrees.com
3		MICHAEL D. BRUNO (SB # 166805) mbruno@gordonrees.com
		BRIAN P. MASCHLER (SB # 111824)
4		bmaschler@gordonrees.com GORDEN & REES LLP
5		Embarcadero Center West 275 Battery Street, Suite 2000
6		San Francisco, CA 94111
7		(415) 986-5900 (415) 986-8054 (fax)
8		KENNETH E. JOHNSON (SB # 115814)
9		kjohnson@sortm.com STEPHAN, ORINGHER, RICHMAN, THEODORA
		& MILLER
10		2029 Century Park East Sixth Floor
11		Los Angeles, CA 90067-2907 (310) 557-2009
12		(310) 551-0283 (fax)
13		ATTORNEYS FOR DEFENDANT
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1	<u>ORDER</u>				
2	The Court has considered the above Stipulation, and good cause appearing therefor, the Court				
3	modifies, approves, and hereby ORDERS the following schedule and deadlines for class certification				
4	discovery and briefing. A Status Conference will be scheduled for a date to be determined by the				
5	Court following the Court's ruling on Plaintiffs' Motion for Class Certification.				
6	Non-Expert Discovery Schedule				
7	Complete non-expert interrogatories and document discovery by		07/02/07		
8	Complete non-expert depositions (e.g., Parties, Fed.R.Civ.P. 30(b)(6) deponents, witnesses and records custodians) by				
10	Expert Discovery and Reports				
11	Plaintiffs to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	10/31/06			
12	Plaintiffs' expert(s) to be made available for deposition by	1/25/08	4/1/08		
13	Defendants to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	2/1/08	4/8/08		
14	Defendants' expert(s) to be made available for deposition by		4/15/08		
15	Plaintiffs to serve rebuttal expert reports by		4/22/08		
16	Defendant to serve supplemental expert reports by		4/29/08		
17	Expert discovery cut-off		4/29/08		
18	Class Certification Briefing Schedule				
19	Motion for Class Certification to be filed by	-3/7/0 8	5/9/08		
20	Defendants' Opposition to Class Certification to be filed by		6/4/08		
21	Plaintiffs' Reply to be filed by		6/18/08		
22	Hearing on Motion for Class Certification (on or after)		7/11/08		
23					
24	Status Conference — To	o be determ	ined by the Court 9/5/08		
25	IT IS SO ORDERED.		7/3/00		
26	DATED: March 11, 2008	Chelmen	CHESTER		
27	THE MONORABLE UNITED STATES D	MAXINE ISTRICT J	I. CHESNEY UDGE		

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